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S E C R E T SECTION 01 OF 02 ABU DHABI 000472

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TAGS: PARM PREL ETTC AE
SUBJECT: MFA on Interdictions and Export Control Prosecution

Reference: A) STATE 33109, B) ABU DHABI 352, C) ABU DHABI 323

(U) Classified by Martin Quinn, Charge d'Affaires a.i., for reasons
1.4 b and d.

¶1. (S/NF) Summary: On April 3, MFA International Organizations Director Yacub Al-Hosani denied requests for USG access to the remaining containers (interdicted at USG request yet still sitting in Dubai awaiting further processing), explaining that there was increasing UAEG concern that the USG leaked sensitive information about its cooperation with the UAEG to the press. He reiterated the UAEG's determination not to allow the goods to reach Iran and his personal hope that a way would be found to confiscate the items permanently. He told Econchief that the Dubai Prosecutor's Office had declined to provide him with information on the ongoing export control case, but that security services had provided him with some details. End Summary.

Keep Interdictions Confidential

¶2. (S/NF) On April 3, Econchief met with MFA International Organizations Director Yacub Al-Hosani to discuss efforts to resolve outstanding interdictions and to offer a dialogue about how to dispose of the items (ref a). Econchief explained that the USG's intention is always to provide as much information as possible and suggested that if the USG were allowed discrete access to the containers, we might be able to develop further actionable information. Al-Hosani's response to that suggestion was uncharacteristically blunt. He said there was increasing concern about the USG "leaking" UAEG-provided information to the press. He told Econchief that he had received three calls from UAEG colleagues complaining that UAEG-provided information was showing up in the press, adding that "from now on" the UAE might need to be more "careful" about providing sensitive information to the USG. (Note: The meeting came the day after the publication in the International Herald Tribune of the New York Times article regarding transshipments in Dubai. This may have been the proximate cause for the complaints, although Al-Hosani also made reference to the November 2007 Financial Times article about the UAE stopping transshipments to Iran, "encouraged by the U.S." End Note.)

¶3. (S/NF) In response to Econchief's comment that the Financial Times had cited a UAEG official as the source of the news, Al-Hosani said that the Minister of Foreign Affairs had asked him whether the information had leaked from his office, an embarrassing question which he hotly denied. He told Econchief that the UAE maintained information regarding Iranian interdictions on a very "close hold" basis. He stressed that he believed the State Department was handling information appropriately, but expressed concern that the size of the USG and the number of different agencies involved made it difficult to protect the information completely.

¶4. (S/NF) With regard to establishing an expert level dialogue on

disposing the items, Al-Hosani originally rejected the idea, then promised to consider it. His preference if the goods could not be returned to their countries of origin would be to find some means of confiscating the goods, but this action would need to be cleared by the lawyers.

The UAE's First Export Control Prosecution

¶ 15. (S/NF) Al-Hosani and Econchief briefly discussed the ongoing prosecution under the UAEG's export control law (the first case under that law). Al-Hosani explained that the Dubai Public Prosecutor's Office had declined to provide him with information about the case, due to the fact that it was an ongoing prosecution. He had also approached the "security services" for information on the matter and had received a brief written reply which he shared with Econchief. Informal translation of the text follows.

¶ 16. (S/NF) Begin Informal Embassy Translation

-- Received information that the goods contained a quantity of an unknown substance, weighing 24 kilograms. It was believed that it was the material Zirconium, which is used in missile ignitions. This is considered a prohibited good. (Cost for one Kilogram is USD 120,000.)

-- The goods were imported for re-export and consisted of mineral rods and components.

-- The information was forwarded to the Public Prosecutor's Office with knowledge that this shipment was a crime and the goods were tested. The results of the test confirmed that the rods were made of the above mentioned material [Zirconium], which is used in a number of applications, among them nuclear reactors.

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-- By November 22, 2007 preparations had been made to "trap" the above-mentioned goods and to seize him [the suspect] and take possession of the materials.

-- During the investigation, the suspect confessed to acting as a go-between in an operation to sell the Zirconium and alleged that the person who procured the materials was his friend, a UAE national [name redacted], and his job was to deliver it to the source in order to find the buyer, knowing that this material has a number of uses, both positive and negative.

-- The matter was resubmitted to the Public Prosecutor's Offices and was reinvestigated to establish a relationship [between the defendant and] the goods.

--The testimony was recorded and the person and the file were transferred to the police station for [filing of] charges for possession of strategic goods.

End Informal Embassy Translation.

Comment

¶ 17. (S/NF) It appears that Al-Hosani's concerns about USG "leaks" have to do -- at least partially -- with maintaining his reputation among other UAEG agencies. He is interested in sharing information with the USG and understands his role as the UAE's designated interlocutor on these transshipment issues. While the UAEG has clearly made a political decision to enforce the UNSCRs on Iran and to work with the USG on stopping transshipments, it has serious concerns about publicizing the extent of this cooperation. Notably, UAE security/intelligence officials, who handle the interdictions, have not complained directly to GRPO about the USG leaking information. However, our success in gaining ongoing access to information, and in increasing access as needed to enhance the fidelity of our understanding in specific cases, depends on our perceived reliability in keeping confidences. End Comment.

Quinn